

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

ON-SITE SYSTEMS ADVISORY BOARD
89 Kings Highway, Dover, DE 19901
(302) 739-9948

Monthly Meeting Minutes
December 4, 2019

Members Present: Ken Walsh, Mark Davidson, Ping Wang for Scott Eichholz, Tom Ryan, Phil King, Gerry Desmond, Mike Stallings, Bill Gangloff, Steve Cahill

Also Present: DNREC staff: Dawn Dryden, Lisa Dolan, Tish Boyd, Jason Baumgartner
Property Owners: Kenneth Corcoran; Gary and Renee Binns

- ❖ Meeting began at 9:15 a.m.
- ❖ Introduction of Lisa Dolan as new Administrative Specialist and Licensing Coordinator
- ❖ Tom made a motion to accept the amended agenda items; Mark seconded, all agreed
- ❖ November 6, 2019 Meeting Minutes reviewed; Phil King made a motion to approve; Bill Gangloff seconded, all agreed.
- ❖ License Applications:

<i>Applicant Name</i>	<i>License Type</i>	<i>Approved</i>	<i>Denied</i>	<i>Motion By</i>	<i>2nd By</i>	<i>All In Agreement</i>
Johnathan Robertson	F	X		Tom	Steve	X
Cole Brightman	F	X		Tom	Mike	X
Carter Ruditski	F	X		Tom	Mike	X
Matt Parrella	F	X		Tom	Mike	X
Bailey Brown	F	X		Tom	Mike	X
Louis Walker	F	X		Tom	Mike	X
Willis Brown	F	X		Tom	Mike	X
Terrance Rollins	F	X		Tom	Mike	X
Deshawn Scott	F	X*		Tom	Steve	X
Josue Marcano	H	X**		Phil	Mike	X***
Russell Campbell	H	X		Bill	Mike	X***
Zane Collison	H	X		Mike	Mark	X

**Applicant needs to initial application*

***Applicant needs to submit certificate of required course*

****Gerry abstained from vote*

❖ Continued Education Training (CET's):

- Kenneth Christenbury, P.E. (Class C #4137)
 - *RLI DPLE 149 Just The Faq's on Ethics- 1 hr – Approved, All lics*
 - *An Introduction to Domestic Wastewater Treatment – 2hrs Approved, All lics*
 - *An Introduction to Activated Sludge Wastewater Treatment Plants -3hrs - Approved, All lics*
 - *P2100- Wastewater Characteristics, Flow and Treatment and Fate of Pollutants in the Receiving Environment – 7hrs – Approved, All lics*
- William Gangloff (Class D #4455)
 - *2019 Mid –Atlantic Crop Management School – 2hrs – Approved, All lics*
- Stephen Dadio (Class A B D #4595)
 - *LAES – 2004-201 Soil Judging – 10hrs - Approved*

- ❖ Henrietta Law (Class B,E,F,H,I # 2188): Tish presented Class H (2 inspections); explained discrepancies; Ken asked if the system type changed with the second inspection. Henrietta suggested she checked the wrong system type. Ken asked if she was on the site or familiar with site. She replied yes. Tish had reported that repeated attempts to contact Henrietta were unsuccessful with this case. Ken explained Henrietta's report should have been put on hold and should reflect what is existing on property. The report should not have been submitted until entirely complete. He also suggested that her report did not reflect that of a professionally licensed inspector. Henrietta thought lines went under client's driveway; she excavated and eventually found a seepage pit. Henrietta went on to say she felt belittled by DNREC and has not received complaints in the 35 years she has been doing her inspections. She admitted to not seeing every job site she submits and she doesn't try to cheat anyone. She also stated that she would be happy to give back the money for the inspection.

Gerry stated that this wasn't the first time someone had a concern with one of Henrietta's inspection reports and that she should never submit one that is full of discrepancies with not enough details to support her findings. Mark inquired as to whether the first lot had size changes; Henrietta stated the property owner's neighbor gave her the information and that she wasn't sure if either of the inspections was correct. Phil stated that she didn't use due diligence. Bill stated that the level of inaccuracy within her report was a concern. Mike went on to state that the first report was incomplete and should never have been submitted. Steve said the report should never be filed until it is complete with attention to detail. Ken asked if DNREC would seek action Ping issued a Manager's warning and suggested that Henrietta could be borderline fraudulent. Ken went on to explain that OSSAB investigates and makes inquiries and can make suggestions to DNREC to seek disciplinary action. Ping and Ken went on to note that this will become part of her license file. No action to be taken at this time but there will be a Managers warning sent to Henrietta and that any future complaints will be handled swiftly.

- ❖ Sam Welcome (Class B,E,F,H #4296) : Ken asked reason for a shed not being noted on the corner of the system according to the drawings Sam reviewed that were on file. Sam did confirm shed was present. The property owner is selling the home and is relocating.

Ken asked the owner when he purchased the home and whether it was sold to him as a three bedroom or a four bedroom. Tish explained Sam should have addressed this as a four bedroom home as he did not address this accordingly as a Class H inspection. Ken suggested to the owner that this was a civil matter. Tish pointed out that Sam has never had any complaints with his inspections and that his reports are usually handled with care. Gerry stated that using more detail in reports is crucial and Mark recommended that Sam should make appropriate changes when using drawings for his reports. Sam stated that he doesn't perform inaccurate work. He is familiar with sites and systems because he maintains them as well. Ken stated that no action would be taken at this time and appreciates owners contacting OSSAB.

The property owner asked how often these issues slip through the cracks and questioned why a real estate agent would sell a four bedroom as a three. Ken explained new regulations and how these have been updated. The property owner also stated that as a homeowner he trusted the inspection Sam had done. Mark advised homeowner to check the title insurance company. Ping issued a managers warning to Mr Welcome and advised monitoring in the future. Ken thanked all individuals for attending the OSSAB meeting.

- ❖ Property Owner Complaint (Charles M. Kristman Class E,H # 5509) Gary and Renee Binns : Jason gave a summary of the situation stating that there is a drip system in compacted soils. Charles Kristman installed system back in July 2019. Ken explained owner's complaint which had been sent in an email. Owners stated that new construction began in 2017 and the move in date was in August 24, 2019. A wooden lot was cleared by a general contractor in 2018. Jason stated he was on the site with Kim Yanaitis and Dave West (DNREC). Russ found compaction in soil. Pre Doc and Gillespie were also on site and stated that this was a possible bad installation. Ken said that DNREC will work diligently with all parties to rectify issues, however, the costs would remain a civil matter. OSSAB cannot interfere with financial costs. The owner asked who is at fault. Phil explained regulations and system approvals fall under certain guidelines and that this most likely started by clearing and with the compaction. Mike asked if there had been a post lot clearing visit by a Soil scientist. It does not appear that this happened. There is no warranty from Pre Doc however, Mr Kristman offers a one year warranty on his installs. Board discussion, Mike made motion to invite Mr. Kristman to the next meeting, Phil seconded; all agreed.
- ❖ Enforcement:
 - None to date
- ❖ Public Comments:
 - None to date
- ❖ Next scheduled meeting on January 8, 2020
- ❖ Meeting adjourned at 11:42 am


Prepared By Lisa Dolan


Approved By Ken Walsh

